THE REPLICATION OF Mr GLYN,

In the name of all the Commons of ENGLAND, to the generall answer of *Thomas* Earle of *Strafford*, Lord Lieutenant of *Ireland*, to the severall Charges exhibited against him in *Parliament* by the House of Commons, *Aprill* the 13. 1641.

London Printed 1641.

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London Printed 1641. 6

The Replication of Mr. *Glyn*, in the name of all the Commons of England, to the generall answer of *Thomas* Earle of Strafford Lord Lieutenant of *Ireland*, to the severall Charges exhibited against him in *Parliament*, by the House of *Commons*, *Aprill the* 13. 1641.

My Lords,

BEE pleased to give me but a little respite, and I make no doubt but to represent to your Lordships *Thomas* Earle of *Strafford now prisoner at the Bar*, as subtle in his answers, as he hath beene cunning in his practises.

The said Master *Glyn* retiring himselfe for the space of halfe an houre, and returning, thus began.

My Lords, *Wee are here entrusted by the House of Commons, in the name of all the Commons of* England *to recollect our evidence, and to apply it to the generall charge, whereunto it is directed.*

My Lord of *Strafford* recollecting the evidence of his defence (under favour) did expresse how subtle hee therein was, which I shall make appeare to your Lordships in sundry particulars.

But my Lords, before I enter upon it, I shall make some observations and answers to that, reducing

ting it againe to that Method, though not so exactly, I feare, as I have proposed it to my selfe.

It will easily appeare to your *Lordships*; That the Earle of *Strafford* hath expresst whatsoever may seeme to make for him, but concealed the rest. He hath misrecited, and miswrested proofes, both on his owne side and ours.

He hath, My Lords, taken this advantage, that it might make for his defence.

He hath disjoynted those testimonies and witnesses that made against him: That they might appeare like small scattered drops of raine, which nevertheless being gathered together, would over-flow the body of the earth it selfe.

My Lords, I doubt not in the generall, but to make good what I have spoken against him, who hath made a flourish this day (as he hath formerly) that if he had longer time, hee is confident hee could have cleared himselfe of those great crimes wherewith he stands charged.

Give mee leave therefore to informe your Lordships, that he is no way scanted by time, whatsoever his flourishing Rhetorick may endeavour to insinuate.

My Lords, it may as easily, as plainly appeare, that there is nothing wanting to him, for hee hath severall Copies of papers of the Counsell-Table here, and of the *Parliament* in *Ireland*, and yet hee still pretends, hee is not ready; onely to protract and gaine time.

My Lords, he hath often mentioned this day, and the

the day before, that many *Articles* wherewith hee ſtands charged, are proved but by one witneſſe, and therefore hee takes advantage of the ſtatute, 1. *Ed.* 6. That a man ought not to be condemned by one witneſſe.

My Lords, this is a fallacy of his owne heart, for the ſeverall charges againſt him are not depoſed by one witneſſe onely, but many.

My Lords, His charge is for ſubverting the fundamentall Lawes of the Land, and endeavouring to introduce a Tyrannicall government.

If your *Lordſhips* put theſe together, you ſhall find clearely, by how weake a thred his anſwers hang.

My Lords, Another compariſon I ſhall be bold to make, is, *That he was pleaſed to caſt an aſperſion in the entrance of his anſwer, upon thoſe which were and are entruſted by the Houſe of Commons, by pretending the ſeverall charges were not proved, which indeed are proved ſufficiently.*

My Lords, Wee ſtand here to juſtifie and maintaine what we have ſpoken, and however oe is pleaſed to caſt it upon us, *wee are bold to retort it upon him, but ſhould be loath to be ſo guilty in this, as hee is found in the ſeverall charges.*

My Lords, he hath beene pleaſed to make a generall Plea, that theſe particulars, though put together in one body, cannot poſſibly make a Felony, nor 100 Felonies a Treaſon; inſtancing in that of a bloudy knife in a murtherers hands, but I make

no doubt he well knowes, that the case of murthering a private man, and of a whole Kingdome differ, and that there may be Treason intended in the latter, though by Gods mercy prevented.

He that intends to kill a King, though it bee not perpetrated, is nevertheless guilty of high Treason, yet a King, though murthered, may live in his posterity; but to kill the whole Kingdome, and their posterity, to bring them into perpetuall bondage and slavery, if this be not high Treason, and the highest degree of Treason, I must professe I yet know not what Treason is.

Besides, *my Lords*, (under favour) I shall put you in remembrance, that *Faux*, the greatest and most desperate Traitor that any Age hath brought forth, might have pretended this excuse, That the taking in of barrels of gun-powder, and putting them under the Parliament house, laying the traine of powder, & kindling the match (to excuse the most horrid villany that ever hell teemed) was no treason, because not effected; but if you consider the circumstances, you will find it capitall Treason, and hee might have had as much excuse for his villany, as the Earle of *Strafford* in this case.

My Lords, *Thomas* Earle of *Strafford endeavoured and attempted to kill the Lawes, the fundamentall Lawes of this* Kingdome: and if this bee not high Treason, it may with very good reason seeme strange. My Lord of *Strafford* distinguisheth of Treasons, *viz. That there are Treasons by statute at Common-Law, and treasons arbitrary or constructive.*

My

My Lords, Be pleaſed to give me leave to trace him a while, and afterwards to diſcharge my dutie, truely to repreſent the cauſe, and I will avoid (as much as I can) falling into my Lord of *Straffords* error.

My Lords, he beginneth with the fifteenth article, and pretends the ſubſtance of the Charge is, *That he cauſed a warrant to be executed by* Robert Savil *Serjeant at armes, and divers others (who, as hee conceives, ought not to ſweare in his owne juſtification) and that he condemned the proceedings of the Counſell board in Ireland.* Now ſaith he, this warrant is not produced.

But, my Lords, the Iudges know and will tell you, That if a man be charged with Fellony, although the thing ſtollen be not produced, yet nevertheleſſe the man ſtands charged. I ſay therefore, this is but a new way and invention, found out newly by his Lordſhip (for ought I can ſee) to commit high Treaſon, and to ſay he had a warrant for it.

I beſeech your Lordſhips patience, and I truſt to cleare this aſſertion; and whereas hee pretends the Sergeant at armes to be no competent witneſſe, I wonder much at it.

He is pleaſed to ſpend much of his Rhetoricke, when he ſaith, *That monies were levied but by two or three ſoldiers, and no more.* But your Lordſhips know it is as much miſchiefe to bee overmaſtred by foure, as foure thouſand.

Your

Your Lordſhips may remember, that the warrant doth not particularly expreſſe the number of men that ſhould raiſe it in that warlike manner.

I might as well ſay, The King hath given me an Army in *Ireland*, therefore I will turne it upon the Bowels of the Kings people.

I thought, my Lords, hee would have inſiſted upon the other two Articles, but it ſeemes he hath beene better adviſed. And for the feares of his tranſporting the Iriſh army, my Lords, thoſe feares were warrantable and juſt.

The Commons of England alſo feared, and juſtly, or elſe they would never have charged him therewith. And the *Lo.* feares he mentioned ariſe from a true and reall cauſe, and hee hath ſhewed himſelfe a good ſubject in this and all other things, and whatſoever my *Lord* of *Strafford* is pleaſed to ſay againſt him, his reputation ſtands untainted.

¶ Whereas he citeth that of Mr. Treaſurer *Vanes* Charge, who affirmes he ſaid (ſpeaking at that time of a defenſive war with Scotland) *Your Majeſtie hath tryed all wayes and meanes, and in this your extreame neceſſitie, for your owne and your Peoples ſafety, you may imploy the Iriſh Armie to reduce this Kingdome to obedience.*

My

My Lords, we could plainly have proved this testimony by notes taken by Secretary *Vane*, which notes were accordingly taken the beginning of the last June, and by two other witnesses; because hee affirmeth he could have proved the contrary.

My Lords, I tell you what testimonies we could have brought (if there had bin need) to prove his intentions to bring in the Irish army.

True it is, the last recited words were spoken by Master Treasurer *Vane* the 5. day of *May*; whereas he saith, *How can it be true, for the army was not on foot a moneth after.* Yet with his Lordships favour, in *Aprill* before, he had given order for it: so that, *my Lords*, this objection is taken away out of his owne testimony.

Now, *my Lords*, before I fall upon the other words which he cals constructive, I shall humbly desire your Lordships to looke on your notes how he handled the argument.

My Lords (saith he) *I am taxed to say, that Ireland was a conquered Nation*, Ergo, *I am a Traitor for speaking truth.* If your Lordships please to looke on the articles, you shall find how he doth dissect and cut them in severall pieces, to serve his owne turne.

And so I descend to the fourth article, which he saith was proved but by one witnesse: but I doe extreamely wonder that he should affirme it, for it was proved by 3. or 4. severall witnesses, and the words themselves were proved by 4. witnesses, to be exceeding often spoken by him: & if we would have troubled your Lordships with more proofes,

 we could

could have proved almost as many charges against him, as he remained daies in *Ireland*.

My Lords, then he falls back to the second Article, where he should have expresst these words, *viz. That the Kings little finger should be heavier than the loines of the Law*. This, my Lords, was expressely proved by five witnesses, to make good the charge; and therefore with your Lordships patience, you shall find it by plaine demonstrations fully proved.

My Lords, I shall not answer to his pieces, but bring them together, and then their foulenesse will more fully appeare.

Whereas he mentions, *That of the Kings prerogative for raising of monies, and particularly that of the Shipmoney, by the Iudges testimony to be law*; My Lords, for him to bring in that which is already condemned, and proved contrary to law; For him therefore to counsell a King, *that he is absolved and free from all rules of government, to invade upon posterity, to make denial of property: my Lords, it rests in your great judgements, and in all that heare me, what Argument this is of defence; but 'tis no wonder: for more of the like stuffe followes.*

My Lords, He stands charged for bringing two armies into the field, and thinkes to put it off by saying he had beene in the Country.

My Lords, I shall make it appeare, that the providing of this warre was the principal and maine designe to bring hit ends about. My *Lords* in the passage hereof he saith, that Secretary *Vanes* words were, *That himselfe was for a defensive war; but he for an offensive: and that there was no difference in*

these.

these. Which may will be ſtrange to any reaſonable man, that there ſhould no difference at all be ſet, betwixt defending a mans ſelfe, and offending others.

My Lords, in the 24 article hee mentions part of the Charge, *That he was an occaſion of the diſſolution of Parliaments.* Whereto he anſwers, *It is not proved.* But my *Lords* it ſhall appeare to be indeed, as the Witneſſes have already depoſed.

He goes on with theſe words: *Can any man think him the occaſion of breaking up Parloaments; when ſuch counſells would have been a hinderance to his owne deſignes?*

My Lords, He comes from thence to the 27. article, and anſwereth, *That it ſeemes very ſtrange to him, that people ſhould once imagine, that a man can walke ſo ſafely 'twixt two Armies in time of war, as an Atturney who in terme goes from one Bench to another, with a bundle of Papers under his girdle.* My *Lords*, he makes it very ſtrange, that he ſhould be charged with treaſons for ſubverting the lawes of this Kingdome. My *Lords*, I anſwer: *Doth not the law make it treaſou to kill a Iudge on the Bench? For why, he is the living voice of the law: And ſhall not he that kils the King in his people, be equally guilty?*

And whereas he alleadgeth, *He never purpoſed to introduce a tyrannicall government, or to ſubvert the fundamentall lawes of this Kingdome*; I anſ. (my *Lords*) although, praiſed be God, he hath not effected it, yet it is too apparent he intended it.

My *Lords*, The ſole helpe the Subject hath to conſerve his liberties, if he be detained againſt Law, is by prohibition, or *Habeas Corpus*: And yet both of theſe were by him reſtrained; & I referre it to your

Lordſhips great judgements, whether this was not as much as in him lay, to introduce an arbitrary power in the King.

And, *my Lords*, Whereas he ſaith as aforeſaid, *That the Kings little finger ſhould be heavier then the loines of the Law*: (for he buzzed this into the Peoples eares, that they ſhould find it ſo) and then to ſpeake thoſe words at ſuch a time, *when the body of the Kingdome was to meet, was ſuch a vile matter, and a crime of ſo exorbitant a nature, that it indangered a generall inſurrection againſt Majeſtie*, and this is proved by 5. witneſſes, and not diſproved by any, but Sir *William Penniman*, who ſaith, *he heard them not*; yet nevertheleſſe if five would ſay ſuch a thing, and other five deny it, the affirmative ought to ſway.

My Lords, When he was ſent into *Ireland* with commiſſion and authority, it was not long but he purſued his intents, and produced them into act, and had not God blowne upon his devices, he had wrapped us all up in deſolation.

And then *my Lords*, that he, *when all the lights of Iuſtice were open, ſhould execute ſuch puniſhment on a Peer of the Realme of Irelād, (as ſufficiently appeares) doth plainly demonſtrate his miſchievous intents.*

My Lords, That he which is under the Law, ſhould take a power above Law, nay, without and againſt Law, in putting a man to death.

My Lords, I ſhall not omit ſomewhat he thereupon ſaid, *That he hoped to have pardon of your Lordſhips therefore, if he did any thing amiſſe therein.*

More-

Moreover, my Lords, he adjudged my Lord *Corks* eſtate, a lay-fee dependant upon the Church, and deprived him thereof by a paper petition, which was a courſe uſuall with my Lord of Straſford, to put men out of their inheritance, againſt all law or equity.

My Lords, He goes further, and ſaith, *That he would make my Lord Corke, and all Ireland know, That Acts of Counſell are equall, and ſhould be as binding to the Subjects of that Kingdome, as Acts of Parliament.*

My Lords, Here he judged alſo another, though a Peere, puts him out of his inheritance, and yet cannot find one preſident to ground him for his ſo doing.

The next is the 27. Article, whereto he makes his defence, when as he was not yet charged.

And whereas he alleadgeth, *That ſeeing the Warrant he ſent, he preſently recalled it, and recalled it willingly, therefore he hopes favour from your Lordſhips.*

My Lords, The Warrant was three whole yeares in execution before it was recalled.

Your *Lordſhips* have heard, he is not contented herewith, but ſpreads it over the face of the whole Kingdome, and arrogates authority to himſelfe above the *Lawes* in his anſwer to the 10. Article, touching his notorious abuſing of the King in his Cuſtomes: Hee pretends *it is rather matter of fraud than otherwiſe*, (which tends to his Majeſties ſo great diſſervice) and this plainly appeares, for the King hath loſt thereby extreamely.

His Majestie lost 5000 pound *per annum* of the olde Rents.

And my *Lords*, for the Earle of *Strafford*, hee hath gotten 100000 pounds by Tobacco at least, besides his other Monopolies.

My *Lords*, in pursuance of his intents he crost the proceedings of the whole court of Parliament in *Ireland*.

The next charge against him is upon the 19. article, *For endeavouring the subversion of the fundamentall lawes of both Kingdomes, & that he should compell conscience, by forcing the Kings subjects there, to take an oath, contrary to Law and justice.*

My Lords, this his designe to subvert the law, and exercise power above the law, was a designe cõceived in his heart long before it was executed; *That the King might doe every thing that power would admit, and that the King, if he pleased, might reduce this Kingdome to obedience, by the Army he had in Ireland.*

My Lord Primate testifies, That before the Parliament he said, *That if the Parliament would not apply themselves to his Majestie, the King was acquitted before God and man, and might make use of his prerogative.* My Lord *Conway* chargeth him with the same; adding withall, *That if he tooke this course, the people would give* 12. *Subsidies.*

Whereupon a Parliament was called, but soone by his meanes dissolved, and so the Kings necessities unsupplied. Either therefore my Lord of Strafford must be thought a Prophet, or else that he projected and effected the dissolution of the Parliament.

The

The next Article is, that he told and counselled his Majesty, *That the City was undutifull and unthankfull, and that no good would be done with them till they were made an example, and laid by the heels, and some of the Aldermen hanged up.*

My Lords, That he gave this counsell, plainly appeares, for thereupon foure Aldermen were instantly committed. So that it is evident, the Earle of *Strafford* had premeditated this designe.

Now my *Lords* put all these together, whether the occasion of the warre, and dissolving of the Parliament, were not the end of his devices and Counsels, to bring this Kingdome to an arbitrary and tyrannicall government.

So, my *Lords*, if words and intentions, if counsels and actions, of dangerous cõsequence to whole Kingdomes, be a sufficient evidence of a designe to subvert the lawes, I hope I have satisfied your *Lordships* therein. And so, my *Lords*, I have done with the proofes on the Commons side.

My *Lords*, I mentioned the 17. article before, which spake of making a Warrant to levy the Rings money by force: This, my *Lords*, was acted at the command of the Deputie, as it is confessed by Sir *William Pennyman*.

My *Lords*, It is plaine my *Lord* of Strafford commanded it: for Sir *William* saith that the Warrant was made at the pursuance of the direction of my *Lord* of Strafford.

Put all these together, & I doubt not but he will be found, & it will plainly appeare he is the occasion of all the evils that have fallen upon the Nation, wherewith he is charged in this article.

I come now, my *Lords*, to the last passage my *Lord of Strafford* hath expresst, which I will observe.

For the first, my *Lords*, please you to take notice how he begs your pitty and compassion. My *Lords*, if he had exercised compassion towards others, he might perhaps have expected some extenuation, some mitigation of his offences. *But when he hath beene the Incendiary to so many mischiefes, and calamities, which have befallen and infested his Majesties Subjects, both in* England, Scotland, *and* Ireland, *how can he hope or expect but that the reward of his hands be given him?*

My Lords, Your *Lordships* have heard him often say; *It is very strange he should be questioned for words, being no matter of fact, and therefore to sweepe away him and his posterity from among the living, for things* (as he saith) *of no consequence, of no solidity at all, is very hard.*

My Lords, I answer, *what respect, what pitty, or Christian compassion did he ever demonstrate, when he was in his Kingdome, in Ireland, when he caused those that refused to pay, to be committed; when he compelled the great Counsell of the Kingdome to stoope to his devices, when he trampled on the Peeres, and oppressed the Kings subjects, with what great indignity did he use them, how did he insult upon people of all rankes?*

My Lords, He is charged with offences of the highest nature: And whereas he alleadged by way of excuse, that if these things be made crimes, the affaires of the Kingdome will be left so waste and deso-

desolate, that no man of wisedome will meddle with them.

Please my Lord of *Strafford* therefore take notice, That the Kings Ministers ought to serve his Majesty according to Law, and no otherwise.

Can he then, my Lords, pin these misdemeanours (as he calls them) upon his Majestie, which no prudent States-man ever did.

What is it but Treason, to make the cause of the groanes and sighes of his Majesties subjects to proceed from his sacred Majesty?

This is a course no wise Minister ever practised, thus to question his great Master, and as much as in him lyes, to make the Subject weary of serving, and the King of protecting.

What is this, but to make his Majesty thinke, That his Royall Prerogative is neither comprehended within the limits of *Law*, nor the bounds of Reason; For if he had not an intention to subvert the *Lawes*, why should he suggest these things into the Kings eares? What is this my Lords, but, as much as in him lyes, to confound all *Law*?

What is this, but to make his Majesty thinke, *that the protection and defence of his people, is the way to his ruine and destruction?* To make the people begin to loath the Crown, and the King hate his people; and should I often repeat it, sure I am, there is so much candor in the Kings heart, that it will justifie what I have said.

My Lords, There is no greater safety to Prince or People, than to have the Throne established by

good Counsellors, and no greater danger can befall a Kingdome, than to have such who are wicked and dangerous.

He alleadgeth for himselfe the great hazzard every Counsellor will run, if they shall be questioned for giving their Counsells freely, according to their Oaths, who then, saith he, will be a Counsellor?

My Lords, For many yeares you know it, & I cannot without griefe of heart once mention it; there hath bin an evill Spirit of Contention that hath moved and stirred amongst us, which hath bin the Author and Fomenter of all our distractions, *viz.* *Necessity* and *Danger*. These evill Counsells have brought the King into Necessity, and Necessity hath ever had Danger it's attendant.

The Foundations hereof are laid upon that of Ship-money, and dissolution of *Parliaments*, by perswading the King not to sticke to any Rules of government, but to governe without rule or *Law*.

But I pray, my *Lords*, consider what ill courses my *Lord of Straffords* Counsels have produced, and how pestilent to both Kingdomes.

Your *Lordships* may remember how he hath scandalized some Peeres of your Realme of *Ireland* when he openly expreſt, at the Parliament there, That things were carried against him by faction and correspondence, and what threats he then used to terrifie them.

To conclude all, my Lords, the Earle of *Strafford* is here arreigned of high Treason, for going about to subvert the fundamentall lawes of the Kingdome.

My

My Lords, You are ſons of the ſame Anceſtors, that enacted, maintained, and preſerved theſe Lawes, which he would have ruined, and the ſame blood runs in your Veines.

You cannot my Lords, thinke him worthy to live, who hath attempted theſe things againſt all Law: What Law hath he not broken?

He hath attempted the ruine of 3. Kingdomes at one blow, it was by him projected: but bleſſed be our good God, here it ſtopt, it was never effected.

Therefore my Lords, if you would be ſafe, or live in peace, aud ſtill enjoy thoſe Lawes, for the maintenance whereof, your Fathers ſhed their deareſt blood; then caſt this *Jonas* (who yet lies a ſleepe on the bed of ſecurity) into the Sea, leſt the Ship of the Common-wealth ſplit and ſinke.

My Lords, It is a cauſe concernes the King, & here is the remonſtrance of the Kingdomes of *England*, *Scotland*, and *Ireland*, who all humbly beg it.

My Lords, What the danger and horror of it would have produced, had theſe miſchiefes beene brought to birth, I leave to your great judgements ſeriouſly to conſider.

And thus my Lords, have I delivered the charge given me by the Houſe of Commons, as briefly and plainly as I could, and therefore doe here with all humility conclude, and ſubmit.

FINIS.

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FINIS.

My Lords, You are sons of the same Ancestors, that enacted, maintained, and preserved these Laws, which he would have ruined, and the same blood runs in your Veines.

You cannot my Lords, thinke him worthy to live, who hath attempted these things against all Law: What Law hath he not broken?

He hath attempted the ruine of 2 Kingdomes at one blow, it was by him projected: but blessed be our good God, here it stopt, it was never effected.

Therefore my Lords, if you would be safe, or live in peace, and still enjoy those Laws, for the maintenance whereof, your Fathers shed their dearest blood; then cast this *Jonas* (who yet lies a sleepe on the bed of security) into the Sea, lest the Ship of the Common-wealth split and sinke.

My Lords, It is a cause concernes the King, & here is the remonstrance of the Kingdomes of *England*, *Scotland*, and *Ireland*, who all humbly beg it.

My Lords, What the danger and horror of it would have produced, had these mischiefes beene brought to birth, I leave to your great judgements seriously to consider.

And thus my Lords, have I delivered the charge given me by the House of Commons, as briefly and plainly as I could, and therefore doe here with all humility conclude, and submit.

FINIS.